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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) LEH-358-98
FY 2005 (Pursuant to the Consolidated Appropriations Act, 2005 (PLA 4816))		
Application Number 09/493,891	Filed 1/28/2000	
For Art Unit 1623	Examiner Maier, Leigh C	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.		
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):		
<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	Fee \$120	Small Entity Fee \$ 60
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		
<input type="checkbox"/> A check in the amount of the fee is enclosed.		
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.		
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.		
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 032634 . I have enclosed a duplicate copy of this sheet.		
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.		
I am the	<input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96). <input type="checkbox"/> attorney or agent of record. Registration Number _____ <input checked="" type="checkbox"/> attorney or agent under 37 CFR 1.34. _____ Registration number if filing under 37 CFR 1.34 _____	
<u>Jaen Andrews</u> Signature		<u>2/18/05</u> Date
<u>Jaen Andrews</u> Typed or printed name		203-255-5044 Telephone Number
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.		
<input checked="" type="checkbox"/> Total of 1 forms are submitted.		
The collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.		

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Via Facsimile: 703-308-6778

April 29, 2005

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RE: Deposit Account 032634
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Serial No. 09/493,891

Dear Sir or Madam:

I hereby request that deposit account 03-2634 be credited in the amount of \$25.00. A charge for Fee Code 2202, (Claims in excess of 20) was posted in error. The total number of claims filed for Serial No. 09/493,891 were 14.

I have attached a copy of the claims for your review. Also, enclosed is a copy of our March 32, 2005 Deposit Account Statement indicating the erroneously charge fee of \$25.00.

If you have any questions or need additional information with respect to this matter, please contact me either by email at jandrews@competitivetech.net, or by phone at 203-255-6044.

Respectfully submitted,

Jaen Andrews
Attorney for the Assignee
Reg. No. 35,051

Enclosures

203.255.6044
Fax: 203.254.1102
email: CTT@CompetitiveTech.net
www.CompetitiveTech.net

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re application: **Wallace A. Longton et al.**Serial No.: **09/493,891**Examiner: **Maier, Leigh C**Filed: **January 28, 2000**Group Art Unit: **1623**Attorney Docket: **LEH-35-98**Date: **March 22, 2005**For: **LACTONES OF CARBOXYLIC ACID POLYSACCHARIDES AND METHODS
FOR FORMING CONJUGATES THEREOF**

CERTIFICATE OF MAILING/TRANSMISSION UNDER 37 C.F.R. § 1.13(a)(1)	
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At the address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Date: <u>3/22/05</u>	By: <u>Donna J. Mays</u> Donna J. Mays

SUBMISSION WITH REQUEST FOR CONTINUED EXAMINATION
Under 37 CFR 1.114**AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
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Sir or Madam:

This Submission is submitted as part of a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-referenced patent application, and consists of an Amendment and Response to a Final Office Action mailed October 20, 2005, with a shortened statutory period for responding set to expire January 20, 2005. This RCE Submission was originally filed

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on February 18, 2005, with an accompanying Petition requesting an extension of time in which to reply, which would extend the period for response to February 20, 2005; therefore, upon granting of the Petition, this RCE and Submission were timely filed.

However, the submitted Amendments were considered non-compliant, as explained in an Office Action mailed on March 2, 2005, on the bases that each claim has not been provided with the proper status identifier and that the status identifier for Claim 9 was incorrect. The Applicants were given one month to supply the corrected section which complies with 37 CFR 1.121.

The Applicants are submitting this corrected RCE Submission, in which the proper status identifier of each claim is presented and the status identifier for Claim 9 corrected to "Previously Presented," along with two copies each of the original Request for Continued Examination and the original Petition for extension of time; this RCE Submission is therefore in compliance with 37 CFR 1.121. Moreover, this corrected RCE Submission is filed on March 22, 2005, and is therefore timely filed, and no further fees are believed to be due with this RCE Submission. However, if necessary, please charge any additional fees due, including any fees necessary for extensions of time, or credit any overpayments, to Deposit Account No. 032634.

Applicants respectfully request reconsideration of the application in view of the following amendments and remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this Submission.

Remarks/Arguments begin on page 8 of this Submission.

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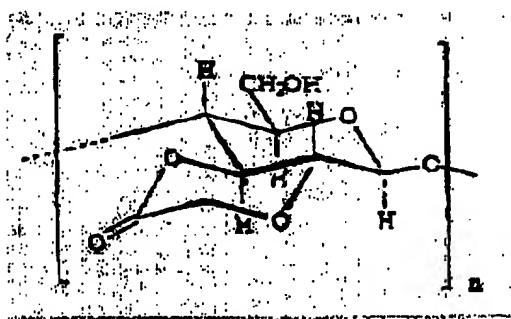
AMENDMENTS

To the Claims:

This listing of claims will replace all prior versions, and listings, of the claims in the application:

Listing of Claims:

1. (Withdrawn) A carboxymethyl cellulose compound according to the formula:



wherein "n" is an integer from 500 to 2000.

2. (Withdrawn) A carboxymethyl cellulose compound according to Claim 1 wherein "n" is an integer from 1000 to 15000.

3. (Currently Amended) A method for the synthesis of a lactone of polysaccharide carboxylic acids which comprises (i) providing the free acid form of the polysaccharide as a finely-powdered, anhydrous carboxylic acid with minimal sodium and potassium carboxylate content; (ii) lactonizing said polysaccharide by thermal dehydration for a period greater than five hours in an anhydrous non-nucleophilic solvent; and (iii) collecting the resulting lactone product, wherein said polysaccharide carboxylic acid is selected from the group consisting of carboxy- and carboxymethyl cellulose, carboxy- and carboxymethyl cyclodextrin, carboxy- and carboxymethyl starch, carboxy- and carboxymethyl chitosan, and pectin.

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4. (Cancelled)

5. (Currently Amended) A method according to Claim 3 which further comprises conducting said lactonization in a refluxing media wherein the solvent is selected from the group consisting of xylene, toluene, diglyme, and acetonitrile.

6. (Currently Amended) A method according to Claim 5 wherein the polysaccharide carboxylic acid is carboxymethyl-cellulose and the solvent is diglyme, lactonizing consists of:

- (i) suspending the carboxymethyl-cellulose in anhydrous diglyme;
- (ii) heating the suspension to about 150°C for about 24 hours;
- (iii) removing the diglyme solvent; and
- (iv) collecting the lactone.

7. (Currently Amended) A method according to Claim 5 wherein the polysaccharide carboxylic acid is pectin acid and the solvent is toluene, lactonizing consists of:

- (v) (i) suspending the pectin in anhydrous toluene;
- (vi) (ii) heating the suspension for about 24 hours;
- (vii) (iii) removing the toluene solvent; and
- (viii) (iv) collecting the lactone.

8. (Currently Amended) A method according to Claim 5 wherein the polysaccharide carboxylic acid is carboxymethyl-starch and the solvent is diglyme, lactonizing consists of:

- (i) converting the starch to the free acid;
- (ii) suspending the free acid in anhydrous diglyme;
- (iii) heating the suspension;
- (iv) removing the diglyme solvent; and

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(*)—collecting the lactone.

9. (Previously Presented) A polysaccharide carboxylic acid lactone product made in accordance with the method of Claim 3.

10. (Withdrawn) A method of forming a polysaccharide carboxylic acid lactone conjugate which comprises (i) ring-opening a polysaccharide carboxylic acid lactone selected from the group consisting of carboxymethyl cellulose, carboxymethyl alpha- and beta- dextran, carboxymethyl starch, chitosan, O,N-Carboxymethyl, O-carboxymethyl, N-carboxymethylchitosan, carboxy-starch, and pectin lactones; and (ii) coupling said lactone with a compound having a biological response within a targeted end-user.

11. (Withdrawn) A method according to Claim 10 wherein ring opening is accomplished with a nucleophilic compound.

12. (Withdrawn) A method for the synthesis of a therapeutic compound comprising the step of conjugating a therapeutic agent to a carboxymethyl polysaccharide utilizing a reactive lactone of said carboxymethyl polysaccharide.

13. (Withdrawn) A method according of Claim 12 wherein the carboxymethyl polysaccharide is carboxymethyl cellulose, and wherein the therapeutic agent is selected from the group consisting of cisplatin, ellipticinium, aminoglutethimide, mitoxantrone, finasteride, vitamin E, alpha-difluoromethylornithine, mitoguazone, and nucleophilic chemotherapeutic agents.

14. (Withdrawn) A method for the synthesis of a conjugated polymer comprising the step of conjugating an agent to a carboxymethyl polysaccharide utilizing a reactive lactone of said carboxymethyl polysaccharide, and wherein said agent is selected from the group consisting of

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an imaging diagnostic capable of binding radioactive metal ions for nuclear imaging or paramagnetic metal ions for magnetic resonance imaging, fragrances, flavorants, cis 3-hexen-1-ol, and property modifiers.

15. (Cancelled)

16. (New) A polysaccharide carboxylic acid lactone product made according to a method for the synthesis of a lactone of polysaccharide carboxylic acids comprising:

(i) providing the free acid form of the polysaccharide as a finely-powdered, anhydrous carboxylic acid with minimal sodium and potassium carboxylate content;

(ii) lactonizing said polysaccharide by heating in an anhydrous non-nucleophilic solvent; and

(iii) collecting the resulting lactone product,

wherein said polysaccharide carboxylic acid is selected from the group consisting of carboxy- and carboxymethyl cellulose, carboxy- and carboxymethyl cyclodextrin, carboxy- and carboxymethyl starch, carboxy- and carboxymethyl chitosan, and pectin, and wherein said polysaccharide carboxylic acid lactone is free of residual chemical activators and promoters.

17. (New) A polysaccharide carboxylic acid lactone product made in accordance with the method of Claim 16, wherein said polysaccharide carboxylic acid is carboxymethyl cellulose.

18. (New) A polysaccharide carboxylic acid lactone product made in accordance with the method of Claim 16, wherein said polysaccharide carboxylic acid is pectin.

19. (New) A polysaccharide carboxylic acid lactone product made in accordance with the method of Claim 16, wherein said polysaccharide carboxylic acid is carboxymethyl starch.

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20. (New) A polysaccharide carboxylic acid lactone product made in accordance with the method of Claim 16, wherein said polysaccharide carboxylic acid is carboxymethyl cyclodextrin.

21. (New) A polysaccharide carboxylic acid lactone product made in accordance with the method of Claim 16, wherein said polysaccharide carboxylic acid is carboxymethyl chitosan.

22. (New) A polysaccharide carboxylic acid lactone product made in accordance with the method of Claim 16, wherein said polysaccharide carboxylic acid is carboxy starch.

23. (New) A polysaccharide carboxylic acid lactone product made in accordance with the method of Claim 3, wherein said polysaccharide carboxylic acid is selected from the group consisting of carboxy- and carboxymethyl cyclodextrin, carboxy- and carboxymethyl starch, carboxy- and carboxymethyl chitosan, and pectin.

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 FAIRFIELD CT 06430

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TECHNOLOGIES**

Competitive Technologies, Inc.
1960 Bronson Road
Fairfield, CT 06434
203-255-6044 (phone)
203-254-1102 (fax)
CTT@CompetitiveTech.net

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